HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI C.V.NAGARJUNA REDDY

Writ Petition No.22290 of 2006

Between

Syed Khader Mastan ..Petitioner

AND

The Government of Andhra Pradesh ..Respondents
represented by its Chief Secretary and others

:: JUDGMENT ::

Counsel for the Petitioner:

Counsel for the respondents: Government Pleader for Medical and Health
Government Pleader for Home

29-11-2006

Per G.S.Singhvi, CJ

Letter sent by Sri Syed Khader Mastan, Advocate, Guntur with the complaint that the State authorities have failed to check Dengue fever, was treated as a petition in public interest.

In response to the notice issued on 2.11.2006, Sri

Aditya Nath Das, Commissioner and Director of Municipal Administration Department has filed affidavit dated 19.11.2006, paragraphs 5 to 12 of which read as under:

> "5. In obedience to the orders of the Hon'ble High Court, it is respectfully submitted that the Commissioner and Director of Municipal Administration in his Circular Roc.No.14713/2006 – H2, dated 11.8.2006 issued instructions to all Urban Local Bodies (ULBs) and Regional Directors cum Appellate Commissioners of Municipal Administration to conduct special sanitation drive i.e. on garbage lifting, roads sweeping, drains cleaning and reporting attendance of sanitation staff, and to submit daily report to the Regional Director cum Appellate Commissioners of Municipal Administration on the same day by afternoon and the concerned Regional Directors cum Appellate Commissioners of Municipal Administration review the report and forward the same to Commissioner and Director of Municipal Administration on the same day. The Commissioner and Director of Municipal Administration has been reviewing the same since then regularly.
>
> 6. It is submitted that the Commissioner and Director of Municipal Administration has constituted a Sanitation Monitoring Cell in the Office of the Commissioner and Director with three members to receive, consolidate and submit the reports daily to the Commissioner and Director of Municipal Administration, A.P., Hyderabad. On review of the daily sanitation reports, certain instructions have been issued to the Regional Directors cum Appellate Commissioners of Municipal Administration to review them thoroughly.
>
> 7. It is submitted that the Commissioner and Director of Municipal Administration, in his Circular Roc.No.14713/2006-D2 dated 10.11.2006, has requested all the Commissioners of Municipal Corporations and Regional Director cum Appellate Commissioners of Municipal Administration mention the following for better appraisal:
>
> 1. Activities regarding Mosquito control measures and Dengue control, taken up by the Municipal Commissioner should be clearly indicated in remarks column or as note.

2. the out come of the meetings conducted with Resident Welfare Association Society (RWAS) and Slums Committees during the sanitation round should be indicated.

3. Best practices if any adopted regarding improvement of sanitation should be indicated.

8. It is submitted that certain photographs taken up during the special sanitation drive is enclosed herewith for kind perusal of this Hon'ble Court. The Commissioner and Director of Municipal Administration is monitoring the sanitation in Urban Local Bodies LBs regularly and the sanitation drive is continuing since August, 2006.

9. It is submitted that to avoid the garbage on roads and other points, with door to door collection has also been taken up in almost all Urban Local Bodies, in certain wards and this is under implementation in all areas on viability of the situation.

10.It is submitted that in this office D.O.Lr.No.716/MSU/APURMSSP, dated 6.10.2006, all the Municipal Commissioners in the State were requested to take all necessary measures to prevent Mosquito borne diseases by working all out efforts in the Municipalities.

11.It is also submitted that the Commissioner and Director of Municipal Administration, A.P., Hyderabad, in his circular Roc.No.4292/2001 D2, dated 7.11.2006 and also on the directions of this Hon'ble High Court on 10.11.2006 has issued instructions to all the Commissioners of Municipal Corporations/ Municipalities to take up all preventive measures to prevent out break of all communicable diseases like water and vector borne diseases besides ensuring lifting of entire garbage generated and taking up fogging operations. Accordingly, the Commissioners of Municipal Corporations/ Municipalities have launched special drive further intensive fogging sanitary functions more effectively and processing is going on.

12.It is also submitted that all 136 Urban Local Bodies have taken up special sanitation drive on their respective municipal areas during the various spells. During the drive 11345.23 Metric Tones of garbage is generated per day and

11108.79 Metric Tones of garbage lifted per day and shifted to dumping yards for disposal. The Urban Local Bodies have also taken up fogging operation in their areas, on overage of 31.92% area is covered daily."

If the above averments are read in conjunction with the reports annexed to the affidavit, it becomes clear that the municipal authorities have taken steps to remove the garbage and have also undertaken fogging operations.

Learned Government Pleader for Municipal Administration says that removing the garbage will be made a continuous process and fogging operations will be undertaken in all the municipal areas of the State on monthly or bi-monthly basis.

In view of the above, the writ petition is disposed of with liberty to the petitioner or any other public spirited person to seek its revival and prosecute the writ petition as and when any contingency arises.

A copy of this order be sent to the petitioner by registered post.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

29.11.2006.
psr